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COUNTY OF SACRAMENTO, JIM SPURGEON and MICHAEL DANIELS

Exempt from Filing Fees Pursuant to Government Code § 6103

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

CHARLES HOUFF, individually, and as a
successor-in-interest to Decedent AMELIAN
HOUFF; OLIVIA EDWARDS, individually,
and as successor-in-interest to Decedent
AMELIAN HOUFF,

Plaintiff,

v.

CITY OF SACRAMENTO, a municipal
corporation; CITY OF SACRAMENTO
police officer MITCHELL BARRETT, in his
individual and official capacities as an
officer for the CITY OF SACRAMENTO;
CITY OF SACRAMENTO police sergeant
MICHAEL FRAZER, in his individual and
official capacities as an officer for the CITY
OF SACRAMENTO; CITY OF
SACRAMENTO police Lieutenant BRIAN
ELLIS, in his individual and official
capacities as an officer for the CITY OF
SACRAMENTO; COUNTY OF
SACRAMENTO, a municipal corporation;
COUNTY OF SACRAMENTO Sheriff's
Sergeant JIM SPURGEON, in his individual
and official capacities as a deputy for the

CASE NO. 2:22-CV-01150-MCE-JDP

**STIPULATION AND ORDER TO EXTEND
DISCOVERY AND EXPERT DISCLOSURE
DEADLINES**

Complaint Filed: 7/1/2022

{02775271.DOCX}

COUNTY OF SACRAMENTO; COUNTY OF SACRAMENTO Sheriff's Lieutenant MICHAEL DANIELS, in his individual and official capacities as a deputy for the COUNTY OF SACRAMENTO; and DOES 1-50, inclusive, individually, jointly, and severally,

Defendants.

Plaintiffs CHARLES HOUFF and OLIVIA EDWARDS ("Plaintiffs") and Defendants COUNTY OF SACRAMENTO, JIM SPURGEON, MICHAEL DANIELS, CITY OF SACRAMENTO, MITCHELL BARRET, MICHAEL FRAZER and BRIAN ELLIS ("Defendants") (Plaintiffs and Defendants collectively referred to as the "parties"), by and through their respective counsels of record, hereby stipulate as follows:

1. Despite the parties' good faith and diligent efforts and because of matters outside the parties' control, the parties are unable to complete non-expert discovery prior to the current deadlines. The deposition of Andrew Keegans was noticed for April 5, 2024. At the beginning of the deposition, Keegans expressed for the first time an interest in having legal representation for the deposition. All counsel agreed on the record to extend the discovery deadline to allow the parties to re-notice Keegans' deposition after affording Keegans a reasonable opportunity to explore this option. Defendant County of Sacramento, Jim Spurgeon, and Michael Daniels propounded written discovery on Plaintiffs Olivia Edwards and Charles Houff. On April 1, 2024, Plaintiff Olivia Edwards requested an extension to respond to the written discovery, which was granted the same day. Plaintiff Olivia Edwards' responses are due April 12, 2024, after the current non-expert discovery deadline. The parties have met and conferred regarding Plaintiff Houff's written discovery responses. Plaintiff Houff requested more time to provide supplemental written discovery responses and has agreed to provide those responses by April 12, 2024, after the current non-expert discovery deadline. Defendant County of Sacramento is unable to issue related discovery subpoenas without Plaintiff Edwards' and Houff's written discovery responses. To afford the parties

- 1 more time to prepare their written discovery responses, continue to meet and confer, prepare
2 any necessary related motion work, issue subpoenas, and to re-notice the deposition of
3 Andrew Keegans, the parties agree to extend the current deadline for non-expert discovery.
- 4 2. The current deadline for non-expert discovery is April 10, 2024. The parties agree to extend
5 the non-expert discovery deadline by 60 days, or to June 10, 2024.
- 6 3. The parties further agree that other deadlines will need to be similarly continued to
7 accommodate the delay. Currently, the deadline for expert witness disclosures is June 10,
8 2024, rebuttal/supplemental expert witness disclosures are due July 10, 2024, and the last
9 day to file a dispositive motion is October 8, 2024.
- 10 4. As such, the parties agree to extend the respective deadlines as follows:
- 11 • Close of Non-Expert Discovery: June 10, 2024
 - 12 • Expert Witness Disclosures: August 10, 2024
 - 13 • Rebuttal/Supplemental Expert Witness Disclosures: September 10, 2024
 - 14 • Last Day to File a Dispositive Motion: December 8, 2024
- 15 5. The parties agree there is good cause for the proposed modifications to the scheduling order.
- 16 6. All other deadlines shall remain unchanged.

17 **IT IS SO STIPULATED.**

18 Dated: April 10, 2024

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20
21 By: /s/ Megan N. Boelter
Carl L. Fessenden
William E. Camy
Megan N. Boelter
22 Attorneys for Defendants COUNTY OF
23 SACRAMENTO, MICHAEL DANIELS and
24 JIM SPURGEON
25
26
27
28

1 Date: April 9, 2024

LAW OFFICE OF JOHN L. BURRIS

2
3 By: /s/ Benjamin Nisenbaum

4 John Burris
5 Benjamin Nisenbaum
6 James Cook
7 Attorneys for Plaintiff CHARLES HOUFF

8 Date: April 9, 2024

BRYANT LAW GROUP

9 By: /s/ Ian Kelley

10 Ian Kelley
11 Paul Alaga
12 Attorneys for Plaintiff OLIVIA EDWARDS

13 Date: April 10, 2024

DEAN GAZZO ROISTACHER LLP

14 By: /s/ Aleries Lau

15 Mitchell Dean
16 Lee Roistacher
17 Aleries Lau
18 Attorneys for Defendant BRIAN ELLIS

19 Date: April 10, 2024

CITY OF SACRAMENTO

20 By: /s/ Sean D. Richmond

21 Sean D. Richmond
22 Kate D. L. Brosseau
23 Attorney for Defendant CITY OF SACRAMENTO,
24 MITCHELL BARRET and MICHAEL FRAZER
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27
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ORDER

The Court, having reviewed and considered the Parties' foregoing Stipulation, and finding good cause, hereby Orders as follows:

1. The deadline for non-expert discovery is extended to June 10, 2024;
2. The deadline for expert witness disclosures is extended to August 10, 2024;
3. The deadline for rebuttal/supplemental expert witness disclosures is extended to September 10, 2024;
4. The last day to file a dispositive motion is extended to December 8, 2024;
5. All other deadlines remain unchanged.

IT IS SO ORDERED.

Dated: April 12, 2024



MORRISON C. ENGLAND, JR.
SENIOR UNITED STATES DISTRICT JUDGE